

EXHIBIT C

HAROLD P. GEWERTER, ESQ.

E-filed: May , 2010

Nevada Bar No. 499

HAROLD P. GEWERTER, ESQ. LTD.

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North Las Vegas, Nevada 89032

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Attorney for Defendants ANTHONY MONACO,

SUSAN K. MONACO & MONACO

DIVERSIFIED CORPORATION

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

* * * * *

In re:

USA COMMERCIAL MORTGAGE COMPANY,

Debtor,

In re:

USA CAPITAL REALTY ADVISORS, LLC,

Debtor,

In re:

USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,

Debtor,

In re:

USA CAPITAL FIRST TRUST DEED FUND, LLC,

Debtor,

In re:

USA SECURITIES, LLC,

Debtor,

Affects:

X USA Commercial Mortgage Company

USACM LIQUIDATING TRUST,

Plaintff,

vs.

EAGLE RANCH, LLC; EAGLE RANCH
RESIDENTIAL, LLC; WILLOWBROOK

CASE Nos.

BK-S-06-10725-LBR

BK-S-06-10726-LBR

BK-S-06-10727-LBR

BK-S-06-10728-LBR

BK-S-06-10729-LBR

JOINTLY ADMINISTERED

Chapter 11 Cases

Judge Linda B. Riegler

Adversary No. 08-01125-LBR

**AFFIDAVIT OF ANTHONY
MONACO IN CONNECTION WITH
USACM LIQUIDATING TRUST
APPLICATION TO COMPROMISE
AND SETTLE CONTROVERSIES**

RESIDENTIAL, LLC; BRENTWOOD 128, LLC;
RAVENSWOOD APPLE VALLEY, LLC;
ANTHONY MONACO, SUSAN K. MONACO; and
MONACO DIVERSIFIED CORPORATION,

Defendants.

AFFIDAVIT OF ANTHONY MONACO

BEFORE ME, the undersigned authority, personally appeared Anthony Monaco, who
being first duly sworn, deposes and says as follows:

1. My name is Anthony Monaco, I am over eighteen (18) years of age and am
competent to testify concerning the following matters. I am a defendant in the case of USACM
LIQUIDATING TRUST v. EAGLE RANCH, LLC; EAGLE RANCH RESIDENTIAL, LLC;
WILLOWBROOK RESIDENTIAL, LLC; BRENTWOOD 128, LLC; RAVENSWOOD APPLE
VALLEY, LLC; ANTHONY MONACO, SUSAN K. MONACO; and MONACO
DIVERSIFIED CORPORATION.

2. On May 12, 2010, I carefully reviewed and subsequently signed a settlement
agreement (the "Agreement") with USACM LIQUIDATING TRUST a copy of which is
attached to the Plaintiff's Application to Compromise and Settle Controversies (the "Motion").

3. The assets I legally own are insufficient to satisfy a judgment on the damages that
the USACM LIQUIDATING TRUST is seeking and that could have been levied against me as a
result of USACM's claim against me in the above-captioned lawsuit, and I have no liquid assets
to contribute to this settlement.

4. I am not in possession of any property of the USACM bankruptcy estate.

CALIFORNIA JURAT WITH AFFIANT STATEMENT

State of California

County of Riverside } ss.

- ☒ See Attached Document (Notary to cross out lines 1-6 below)
☐ See Statement Below (Lines 1-5 to be completed only by document signer[s], *not* Notary)

1 _____
 2 _____
 3 _____
 4 _____
 5 _____
 6 _____

Signature of Document Signer No. 1 _____
 Signature of Document Signer No. 2 (if any) _____

Subscribed and sworn to (or affirmed) before me on this

14th day of May, 2010, by
 Date Month Year

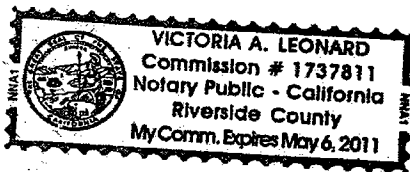
(1) Anthony Monaco
 Name of Signer

- ☐ Personally known to me
☒ Proved to me on the basis of satisfactory evidence
 to be the person who appeared before me (.) (.)
 (and

(2) _____
 Name of Signer

- ☐ Personally known to me
☐ Proved to me on the basis of satisfactory evidence
 to be the person who appeared before me.)

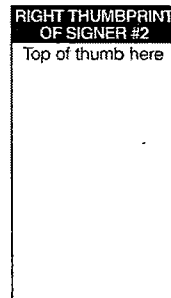
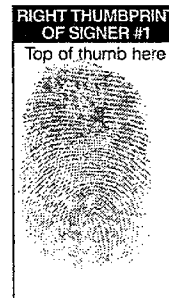
Victoria A. Leonard
 Signature of Notary Public



Place Notary Seal Above

OPTIONAL

*Though the information below is not required by law, it may prove
 valuable to persons relying on the document and could prevent
 fraudulent removal and reattachment of this form to another document.*

Further Description of Any Attached DocumentTitle or Type of Document: Affidavit of Anthony MonacoDocument Date: May 14, 2010 Number of Pages: 2Signer(s) Other Than Named Above: none

HAROLD P. GEWERTER, ESQ.

E-filed: May , 2010

Nevada Bar No. 499

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Attorney for Defendants ANTHONY MONACO,

SUSAN K. MONACO & MONACO

DIVERSIFIED CORPORATION

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

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In re:

USA COMMERCIAL MORTGAGE COMPANY,

Debtor,

In re:

USA CAPITAL REALTY ADVISORS, LLC,

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In re:

USA CAPITAL DIVERSIFIED TRUST DEED

FUND, LLC,

Debtor,

In re:

USA CAPITAL FIRST TRUST DEED FUND, LLC,

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Affects:

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USACM LIQUIDATING TRUST,

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JOINTLY ADMINISTERED

Chapter 11 Cases

Judge Linda B. Riegler

Adversary No. 08-01125-LBR

**AFFIDAVIT OF ANTHONY
MONACO ON BEHALF OF
MONACO DIVERSIFIED
CORPORATION IN CONNECTION
WITH USACM LIQUIDATING
TRUST APPLICATION TO
COMPROMISE AND SETTLE
CONTROVERSIES**

1 RAVENSWOOD APPLE VALLEY, LLC;
2 ANTHONY MONACO, SUSAN K. MONACO; and
3 MONACO DIVERSIFIED CORPORATION,

4 Defendants.

5 **AFFIDAVIT OF ANTHONY MONACO**

6 BEFORE ME, the undersigned authority, personally appeared Anthony Monaco, who
7 being first duly sworn, deposes and says as follows:

8 1. My name is Anthony Monaco, I am over eighteen (18) years of age and am
9 competent to testify concerning the following matters. I am President of Monaco Diversified
10 Corporation, a defendant in the case of USACM LIQUIDATING TRUST v. EAGLE RANCH,
11 LLC; EAGLE RANCH RESIDENTIAL, LLC; WILLOWBROOK RESIDENTIAL, LLC;
12 BRENTWOOD 128, LLC; RAVENSWOOD APPLE VALLEY, LLC; ANTHONY MONACO,
13 SUSAN K. MONACO; and MONACO DIVERSIFIED CORPORATION.

14 2. On May 12, 2010, I carefully reviewed and subsequently signed a settlement
15 agreement (the "Agreement") with USACM LIQUIDATING TRUST on behalf of Monaco
16 Diversified Corporation, a copy of which is attached to the Plaintiff's Application to
17 Compromise and Settle Controversies (the "Motion").

18 3. The assets legally owned by Monaco Diversified Corporation are insufficient to
19 satisfy a judgment on the damages that the USACM LIQUIDATING TRUST is seeking and that
20 could have been levied against it as a result of USACM's claim against me in the above-
21 captioned lawsuit, and I have no liquid assets to contribute to this settlement.

22 4. I am not in possession of any property of the USACM bankruptcy estate.
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1 5. I declare under penalty of perjury that the information contained herein and in the
2 attached table of assets is true, complete, and correct.

3 **"FURTHER, AFFLIANT SAYETH NOT."**

4 SUBSCRIBED AND SWORN TO BEFORE ME, on this _____ day of May, 2010
5 by said Anthony Monaco to certify with witness my hand and seal of office.

6 *SGE Attached*

7 _____
8 Notary Public in and for the State of _____
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State of California

County of Riverside } ss.

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- ☐ See Statement Below (Lines 1-5 to be completed only by document signer[s], *not* Notary)

1 _____

2 _____

3 _____

4 _____

5 _____

6 _____

Signature of Document Signer No. 1 _____

Signature of Document Signer No. 2 (if any) _____

Subscribed and sworn to (or affirmed) before me on this

14th day of May, 2010, by

Date Month Year

(1) Anthony Monzo

Name of Signer

- ☐ Personally known to me
- ☒ Proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (.)
- (and

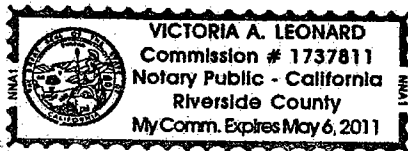
(2) _____

Name of Signer

- ☐ Personally known to me
- ☐ Proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Victoria A. Leonard

Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Affidavit of Anthony Monzo as President of
 Title or Type of Document: Monzo Diversified Corp

Document Date: May 14, 2010 Number of Pages: 3

Signer(s) Other Than Named Above: none

